GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – E.F.S. & T. Department - Disciplinary proceedings initiated against Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle, under Rule 20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 read with Rule 9 of A.P. Revised Pension Rules, 1980 – Imposition of penalty of "Withholding of 3% (Three percent) of pension permanently besides recovery of Rs.2,59,021/- with interest as per G.O.Ms.No.33, Finance (TFR.I) Dept., dated 09.02.2006 from the year 2003 to till the date of recovery and also treating the suspension period i.e., from 24.06.2003 to 29.01.2004 as not on duty" against the Charged Officer Sri D. Rama Sastry, Forest Section Officer (Retd.) – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE& TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.MS.No. 16 **Dated: 19-03-2025**
Read the following:-

1)From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri, Lr.Ref.No.9479/2011/A&DC-2(i), dated 09.11.2023.
2)Govt. Memo.No.2580/Sec.IV/A1/2023, E.F.S. & T. (Sec.IV) Department, dated 29.04.2024.
3)Govt. Memo.No.2580/Sec.IV/A1/2023, E.F.S. & T. (Sec.IV) Department, dated 29.04.2024.
4)From Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle, Written representation, dated 05.02.2025.

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ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri has informed that, the following Article of Charge was issued to Sri D. Rama Sastry, Forest Section Officer, G.L. Puram Section, Kurupam Range, Vizianagaram Division by the Divisional Forest Officer, Vizianagaram in Rc.No.2760/2003/S3 dated 23.06.2003, under Rule 20 of A.P.Civil Services (Classification, Control and Appeal) Rules, 1991:-

> ***Article:***"*That the said Sri D. Rama Sastry, FSO (U/s.) while working in G.L. Puram Section of Kurupam Range had executed the works during the month of March, 2003 and May, 2003 under RIDF-VIII scheme to a tune of Rs.5,49,883/-. While executing the works, large deviations are noticed which resulted in mis-appropriation of Govt., funds to a tune of Rs.3,34,776/".*

2. After following due procedure, the disciplinary case was finalized by the Divisional Forest Officer, Vizianagaram in Proc.No.2760/2003/S3, dated 31.03.2009 by awarding a penalty of "stoppage of one increment with cumulative effect besides recovery of Rs.3,28,414/-".

3. Aggrieved by the above orders, the individual has preferred an appeal petition before the Chief Conservator of Forests, Visakhapatnam Circle and the same was rejected by the Chief Conservator of Forests, Visakhapatnam Circle vide Proc.No.6900/2009/M8, dated 30.04.2010.

4. Aggrieved by the above, the individual has filed **O.A.No.1237/2011** before the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad and the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad has

P.T.O.

passed the following orders, dated **01.07.2015** in O.A.No.1237/2011 with VMA.No.941/2011:

> *"14. Having regard to the facts and circumstances obtained in this case, the impugned order issued in Proc.No.2760/2003/S3, dt.31.03.2009 as confirmed by the 2nd respondent in Procs. Ref.No.6900-A/2009/M8, dated 30.04.2010 and consequential proceedings Rc.No.2760/2003/S3, dt.25.01.2011 issued by the 1st respondent are liable to be set aside and are hereby set aside. The competent authority is not precluded from passing orders by conducting enquiry as per rules by examining the witnesses giving liberty to the applicant for cross examining them. The OA is disposed of accordingly. VMA stands closed. No costs".*

5. Accordingly, the Principal Chief Conservator of Forests & Head of Forest Force has issued instructions to the concerned to complete the inquiry duly following the rules & procedures in force and pass appropriate orders as directed by the Hon'ble A.P. Administrative Tribunal.

6. Since, the finding of the Inquiry Officer were not drawn as per the orders of the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad,on communication, the Chief Conservator of Forests, Visakhapatnam Circle in Rc.No.2039/2011/M8, dated 30.09.2019 has forwarded the revised findings to the Principal Chief Conservator of Forests & Head of Forest Force, wherein the Inquiry Officer concluded as follows:

> ***Revised Findings****:"Basing on the available records the charge is proved and the final loss sustained to the Government to tune of Rs.2,59,021/-is recoverable from the Charged Officer".*

7. The Principal Chief Conservator of Forests & Head of Forest Force has communicated the findings of the Inquiry Officer to the Charged Officer in Ref.No.9479/2011/A&DC-2, dated 13.11.2019. The Charged Officer acknowledged the receipt of the final notice on 10.12.2019 and submitted his written representation, dated 10.12.2019, wherein he did not put–forth any valid / new points.

8. The disciplinary proceedings are continued under Rule 9 of A.P. Revised Pension Rules, 1980, since the Charged Officer has retired from Government Service on attaining the age of superannuation on 31.08.2018.

9. In the Govt. Memo. 2nd read above, the Principal Chief Conservator of Forests & Head of Forest Force was requested to take necessary action for reverting the earlier punishment to the extent of "stoppage of one increment with cumulative effect" imposed against Sri D. Rama Sastry, Forest Section Officer, under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 by the Divisional Forest Officer, Vizianagaram vide Rc.No.2760/2003/S3, dated 31.03.2009, as the same was set-aside by the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad vide its orders, dated 01.07.2015 in O.A.No.1237/2011 with VMA.No.941/2011 filed by the individual.

10. After careful examination of the matter keeping in view of the findings of the Inquiry Officer, Government have taken a provisional decision to impose a penalty of "Withholding of 3% (Three percent) of pension permanently besides recovery of Rs.2,59,021/- with interest as per G.O.Ms.No.33, Finance (TFR.I) Dept., dated 09.02.2006 from the year 2003 to till the date of recovery and also treating the suspension period i.e., from 24.06.2003 to 29.01.2004 as not on duty", against Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked

(Contd.P-3)

in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle, under Rule 9 of A.P. Revised Pension Rules, 1980. Accordingly, in the Govt. Memo. 3rd read above, a Show-cause Notice was issued to the Charged Officer with a direction to submit his written representation if any, on the proposed penalty to be imposed against him. The Charged Officer has submitted his written representation vide reference 4th read above wherein, he did not put-forth any new grounds/valid points to consider his written representation.

11. Government after careful examination of the entire matter, have decided to impose a penalty of "Withholding of 3% (Three percent) of pension permanently besides recovery of Rs.2,59,021/- with interest as per G.O.Ms.No.33, Finance (TFR.I) Dept., dated 09.02.2006 from the year 2003 to till the date of recovery and also treating the suspension period i.e., from 24.06.2003 to 29.01.2004 as not on duty", against Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle, under Rule 9 of A.P. Revised Pension Rules, 1980. Accordingly, Government hereby order to impose a penalty of "Withholding of 3% (Three percent) of pension permanently besides recovery of Rs.2,59,021/- with interest as per G.O.Ms.No.33, Finance (TFR.I) Dept., dated 09.02.2006 from the year 2003 to till the date of recovery and also treating the suspension period i.e., from 24.06.2003 to 29.01.2004 as not on duty", against Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle, under Rule 9 of A.P. Revised Pension Rules, 1980.

12. The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle through the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri.
The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri.

Copy to:
The Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi
SF/SC (Computer No.2292349).

//FORWARDED ::BY ORDER //

SECTION OFFICER